Serial No. 10/043,237 OKI.293 Amendment dated October 8, 2003

#### REMARKS

Claims 3-6, 9-12 and 15-17 are pending in the present application. Claims 3-6, 9-12 and 15-17 have been amended. Claims 1, 2, 7, 8, 13 and 14 have been canceled.

# Priority Under 35 U.S.C. 119

Applicant notes the Examiner's acknowledgment of the Claim for Priority under 35 U.S.C. 119, and receipt of the certified copy of the priority document.

#### **Drawings**

Applicant notes the Examiner's acceptance of the drawings as filed along with the present application on January 14, 2002.

## Claim Rejections-35 U.S.C. 102(b)

Claims 1, 2, 6-8 and 12-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by the Pradeep et al. reference (U.S. Patent No. 5,866,448).

# **Allowable Subject Matter**

Applicant respectfully notes the Examiner's acknowledgment that claims 3-5, 9-11 and 15-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Although Applicant does not concede that the above noted rejection is proper,

claims 3, 9 and 15 have been respectively amended to be in independent form, merely for the purpose of expediting prosecution of this application. The Examiner is therefore respectfully requested to acknowledge that claims 3-6, 9-12 and 15-17 are allowed.

## **Conclusion**

As noted above, claims 3, 9 and 15 have been respectively amended to be in independent form in view of the Examiner's acknowledgment of allowable subject matter, and thus have the same scope as originally pending. Accordingly, the corresponding amendments should not be construed as narrowing scope within the meaning of *Festo*.

The Examiner is respectfully requested to reconsider and withdraw the corresponding rejection, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (703) 715-0870 in the Washington, D.C. area, to discuss these matters.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS, P.L.L.C.

Andrew J. Telesz, Jr.

Registration No. 33,581

AJT:dmc

VOLENTINE FRANCOS, P.L.L.C. 12200 Sunrise Valley Drive, Suite 150 Reston, Virginia 20191 Telephone No.: (703) 715-0870

Facsimile No.: (703) 715-0877